GAHC010041782020

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil) 606/2020

1:ABDUL KALAM @ ABU KALAM
S/O. LT. ATOWAR RAHMAN @ ATOWAR ALI, VILL. THAILAPARA, P.O. ROWKHOWA, P.S. CHUNARI, DIST. GOALPARA, ASSAM-783129.

VERSUS

1:THE UNION OF INDIA AND 6 ORS.
REP. BY THE SECRETARY OF THE MINISTRY OF HOME AFFAIRS, NEW DELHI-01

2:THE ELECTION COMMISSION OF INDIA
REP. BY THE CHIEF ELECTION COMMISSIONER
NEW DELHI-01.

3:THE STATE OF ASSAM
REP. BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR
GUWAHATI-06.

4:THE DY. COMMISSIONER
GOALPARA
DIST. GOALPARA
ASSAM-783331.

5:THE SUPDT. OF POLICE (B)
GOALPARA
DIST. GOALPARA
ASSAM-783331.

6:THE ELECTION OFFICER
GOALPARA
DIST. GOALPARA
ASSAM-783331.

7:THE STATE CO-ORDINATOR
NATIONAL REGISTER OF CITIZENS
BHANGAGARH
GHY.-05

Advocate for the Petitioner : MR. A F N U MOLLAH

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

28.02.2020

(**Manojit Bhuyan, J**)

Heard Mr. H.R. Ahmed, learned counsel for the applicant as well as Ms. G. Hazarika, learned counsel representing opposite party no.1. Also heard Ms. B. Das, learned counsel representing opposite party no.2; Mr. A. Kalita, learned counsel for opposite party nos. 3, 4, 5 and 6 and Ms. U. Das, learned counsel for respondent no.7.

The applicant/writ petitioner seeks modification of the order dated 06.01.2020 passed in the related WP(C) 1682/2019 to the extent that time that had been granted to appear before the Superintendent of Police (B), Goalpara be extended as he could not appear within the stipulated period for reason that no intimation was received from the counsel in due time. It is stated at paragraph 3 of the application that engaged counsel had to leave for Mumbai on 09.01.2020 in connection with the medical check-up of his father at the Tata Memorial Hospital, Mumbai and that the engaged counsel returned to Guwahati only on 17.01.2020.

Apparently, the applicant/writ petitioner cannot be faulted for the default of the engaged

counsel. On the above, we modify our earlier order dated 06.01.2020 and now direct the applicant/writ petitioner to appear before the Superintendent of Police (B), Goalpara within 10 (ten) days from today. The other conditions in our earlier order dated 06.01.2020 shall remain as it is.

It is expected that the engaged counsel shall not make any default this time.

Interlocutory Application stands accordingly disposed of.

JUDGE **JUDGE**

Comparing Assistant